

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

ULKU ROWE,

Plaintiff,

-against-

GOOGLE LLC,

Defendant.

No. 1:19-cv-08655 (LGS)(GWG)

**DECLARATION OF BRIAN ONG IN  
SUPPORT OF MOTION TO SEAL**

I, BRIAN ONG, declare:

1. I am a Director, Google People Services, StratOps for Defendant Google. I have personal knowledge of the facts set forth in this declaration, or know them to be true in my capacity as an employee for Google based on records that Google keeps in the regular course of business. I could and would competently testify to these facts under oath if called as a witness.

2. I have held my current position at Google since January of 2018, and have worked for Google's People Operations organization since October 2008. Google's hiring and staffing processes fall within the purview of the organization for which I am a Director. In my current role I lead the strategy and operations team for the People Operations Staffing organization, which includes managing the candidate evaluation process at Google.

3. I understand that Plaintiff Ulku Rowe has submitted documents identified as Exhibits 4 and 7–9 under seal with her opposition to Google's request to prevent the deposition of a former executive. I have reviewed Exhibits 4, 8 and 9 in connection with this declaration and they contain the names of individuals under consideration for several executive-level roles within the Google Cloud organization. I also understand that Google has marked these documents as "Confidential" pursuant to the protective order governing the treatment of

confidential information in this case. I have not reviewed Exhibit 7, which I understand has been marked Attorneys' Eyes Only under the protective order, but I understand that it contains contents similar to Exhibits 8 and 9.

4. By virtue of my role, I am familiar with the steps Google takes to preserve the confidential nature of the recruiting and hiring process for executive-level candidates in the United States. Google does not disclose the names of individuals in consideration for executive-level roles outside of a group of employees with a need to know this information, which generally includes the recruiters assigned to staff the position for which the candidates are being considered, the hiring manager, and others (e.g., interviewers, schedulers) directly involved in the hiring process.

5. Disclosure of a candidates' name and identity would constitute an unwarranted invasion of the affected individual's right to privacy and would result in undue harm. Typically, these individuals have not disclosed to their current employer (or, in the case of a Google employee seeking another executive-level position within Google, their current manager) that they are seeking another role or exploring alternative career opportunities. Disclosure of their names as part of the recruiting process, especially if Google declines to extend an offer, could result in harm to a candidate's career or professional opportunities with their current employer or manager.

6. Disclosure of candidates' names in the public record could also result in harm to Google. Google's ability to attract top talent is dependent, at least in part, on the confidential nature of the recruiting process. External candidates applying for senior Google roles who may be concerned about the optics of exploring opportunities outside their current employer or role must be able to rely on the confidential nature of the process to feel comfortable participating in

it in the first instance. Even the threat of disclosure of candidates' names in a public filing could discourage highly sought-after executives from even considering a role with Google.

7. For these reasons, recruiters for leadership positions are expected to limit access to documents detailing who is under consideration for an executive-level role. Information about those candidates in gHire and Thrive, Google's systems for storing data relevant to executive recruitment, is not widely accessible within Google.

**I DECLARE UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE UNITED STATES THAT THE FOREGOING IS TRUE AND CORRECT.**

Signed on the 4th day of December, 2020 at Los Gatos, CA.

DocuSigned by:

*Brian Ong*

.36D152EBD9F8445...

Brian Ong